

REMARKS/ARGUMENTS

Amendments to the Claims

Applicant has amended independent claims 1 and 13 to recite that the tablet belt is diverted in a downward direction from a transport plane and to a tangential plane arranged at an angle relative to the transport plane. Support for the claim amendment can be found at least in FIG. 1.

Applicant has amended claim 12 to recite the limitations of claim 7 and to further indicate that the singulating roller diverts the tablet belt out of the plane. Support for the claim amendment can be found at least in FIG. 1.

Claim Rejections under 35 USC § 103

Claims 1, 3, 5, 7-9, and 11-19 stand rejected as being obvious in view of Dabal et al. in view of Klimesch et al. (US 5,073,379)) Applicant respectfully traverses the rejection in as much as the rejection may apply to the claims as amended.

With regard to independent claims 1 and 13, Applicant has amended claims 1 and 13 to recite that during singulation, a force is generated by diverting the solidified tablet belt in a downward direction from a transport plane to a tangential plane arranged at an angle relative to the transport plane, which features are not described, suggested or otherwise rendered obvious by the combination of Dabal et al or Klimesch.

More specifically, neither describe a force generated by diverting the solidified tablet belt in a downward direction from a transport plane to a tangential plane arranged at an angle relative to the transport lane. In fact, neither of Dabal et al. nor Klimesch even describe tablet belts comprising product webs between each tablet. As previously indicated, Column 22, lines 4 – 19 and FIG. 5 of Dabal et al, specifically sets forth that “the output of the rotary dosage forming station is a continuous chain of end-connected dosage units.” (Emphasis added). Similarly, Klimesch does not describe a product webs disposed between tablets.

Accordingly, neither Dabal or Klimesch describe a solidified tablet belt comprising product webs wherein the tablet belt is diverted according to Applicant’s claims. Consequently, the combination of Dabal and Klimesch fails to fairly describe or suggest each and every feature of Applicant’s claimed invention. As a result, Applicant respectfully submits that claims 1 and

13 are nonobvious.

With regard to independent claim 12, Applicant has amended such claim to recite that “the singulating means [includes] at least one rotatable roller for diverting the tablet belt out of a transport plane of the first transport means and in a downward direction from the transport plane to a tangential plane arranged at an angle relative to the transport plane.”” which features are not described by either of Dabal et al or Klimesch.

As previously indicated, Column 22, lines 4 – 19 and FIG. 5 of Dabal et al. specifically sets forth that and illustrates that “the output of the rotary dosage forming station is a continuous chain of end-connected dosage units,” (Emphasis added) such that Dabal does not describe product webs. Additionally, Dabal does not describe or suggest a singulating roller that diverts the tablet belt out of the plane of transport.” In fact, FIG. 5 of Dabal specifically illustrates a single transport plane prior to, and subsequent, to unitizing. Similarly, Klimesch does not describe product webs disposed between tablets and does not describe or suggest a singulating roller that diverts the tablet belt in a downward direction and out of the plane of transport. In this regard, FIGS. 1 and 2 of Klimesch specifically illustrate a single transport plane prior to, and subsequent, to unitizing.

In view of the above, Applicant respectfully submits that the combination of Dabal and Klimesch fails to describe each and every element of Applicant’s claims, as those elements are arranged in the claim as required to support a rejection under 35 USC § 103. Additionally, Applicant respectfully submits that, absent reference to Applicant’s disclosure, and considering the teachings of Dabal and Klimesch in their entireties for what they fairly teach and suggest, the Office Action fails to sufficiently set forth some articulated reasoning or rationale to explain why a skilled artisan would take from among the individual elements of Dabal and Klimesch and re-arrange them in the manner of Applicant to create the claimed invention.

In view of the above, Applicant respectfully submits that independent claims 1, 12 and 13, and those claims depending therefrom, are nonobvious in view of Dabal and Klimesch.

The rejection should be withdrawn.

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Conclusion

Applicants respectfully submit that the present application is in condition for allowance, which action is courteously requested. Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 14.1437. Please credit any excess fees to such account.

Respectfully submitted,
NOVAK DRUCE & QUIGG, LLP

/S. Peter Konzel/

S. Peter Konzel
Registration No.: 53,152

Customer No.: 26474
1300 Eye St. N.W.
1000 West Tower
Washington, D.C. 20005
Phone: (202) 659-0100
Fax: (202) 659-0105
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